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Promotion and protection of the rights of children

Report of the Special Representative of the Secretary-General for Children and Armed Conflict*

Summary

The present report seeks to assess the progress that has been made in mainstreaming the concerns of war-affected children in the United Nations system and the gaps that still exist in this regard. Mainstreaming of the concerns of children affected by armed conflict within key United Nations entities and in system-wide activities is a critical element in the institution of the "era of application" for the protection of war-affected children and ultimately the safeguarding and improvement of their lives.

Notable progress has been made, particularly in mainstreaming this issue in the peace and security sector. This includes the systematic and concerted engagement of the Security Council and the integration of children's issues in the context of United Nations peacekeeping and into relevant thematic activities across the United Nations system. Yet, the gains that have been made remain fragile and may dissipate if not consolidated and institutionalized. And, at the same time, conspicuous gaps exist in the United Nations system response that must be addressed.

The report concludes that in order for the issue of children affected by armed conflict to emerge as a consistent cross-cutting issue in United Nations policies and programmes there must be system-wide commitment and action on this agenda. Translation into reality and practice requires the strong commitment of the leaders of the key United Nations entities, together with mobilization and allocation of the requisite financial and human resources as a matter of priority.

* The delay in the submission of this report is due to serious shortage of staff and resource constraints at the Office of the Special Representative of the Secretary-General for Children and Armed Conflict.

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I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 51/77 of 12 December 1996, by which the mandate of the Special Representative of the Secretary-General for Children and Armed Conflict was created and the request made for an annual report by the Special Representative. The General Assembly has since extended the mandate twice, most recently in resolution 57/190 of December 2002.

Making the "era of application" a reality for war-affected children

2. In spite of significant advances that have been made on the agenda for children affected by armed conflict, the situation for children in conflict situations remains grave and unacceptable. There is a disturbing and conspicuous gulf between the atrocities being perpetrated against children on the one hand, and the clear, strong standards and concrete initiatives that are now in place for their protection, on the other. This is why the campaign for the "era of application" has constituted a leitmotif in the advocacy of the Special Representative of the Secretary-General for Children and Armed Conflict throughout his mandate. To bridge this gulf, the international community must now redirect its energies from the normative task of elaborating standards to the enforcement mission of ensuring their application on the ground. The call to embark on the "era of application", first made to the General Assembly, has since been endorsed by the Security Council as well.

3. The campaign for the "era of application" encompasses four key components: advocacy and dissemination of norms relating to children affected by armed conflict; developing and strengthening local civil society networks for advocacy, protection and monitoring; the establishment of a monitoring and reporting mechanism, to ensure compliance with norms relating to children affected by armed conflict; and, the mainstreaming of concerns relating to children affected by armed conflict into the programmes and mechanisms of key institutions, within and outside of the United Nations. The present report is devoted entirely to the issue of mainstreaming; it seeks in particular to assess the progress that has been made in mainstreaming concerns within the United Nations system, and the gaps that still exist in this regard.

II. Mainstreaming the issue of children affected by armed conflict into system-wide activities

A. Integration of the issue of children affected by armed conflict into the work of the Security Council

1. Placing the issue on the Security Council agenda

4. Since the inception of the mandate, the Special Representative of the Secretary-General for Children and Armed Conflict has advocated and proposed specific ideas for systematic engagement of the Security Council on the issue of children affected by armed conflict. Important and ground-breaking developments in the Council since 1999 have had a far-reaching impact on the agenda for children affected by armed conflict and on the effectiveness of the United Nations response.

The Special Representative has worked closely with members of the Security Council to mainstream this issue in the peace and security sector.

5. Since 1999, the Security Council has formally debated the issue of children affected by armed conflict in an annual session devoted exclusively to this purpose. This has provided the opportunity for briefing the Council on the plight of war-affected children and discussing proposals to strengthen their protection. It has also provided the occasion for young people themselves to present their own views directly to the Security Council and for non-governmental organizations (NGOs), through the "Arria formula", to informally engage the Council on this subject.. The annual Security Council debate and review has served to reaffirm the issue of children affected by armed conflict as an integral part of the peace and security agenda of the United Nations.

6. The five Security Council resolutions on children affected by armed conflict which have been adopted since 1999 represent important pillars in the normative protection infrastructure for children and constitute key elements in the progression towards the "era of application". Significantly, the resolutions of the Security Council also reflect the collaborative, strategic and purposive agenda which has been developed for children affected by armed conflict.

2. Import and evolution of Security Council resolutions on children affected by armed conflict

7. The Security Council resolutions on children affected by armed conflict represent important landmarks for war-affected children. With resolution 1261 (1999), the Council, for the first time, devoted a resolution to a thematic concern not related to a specific situation or an immediate incident. The adoption of resolution 1261 (1999) affirmed that the protection and well-being of war-affected children constitutes an important peace and security concern, which properly belongs on the agenda of the Security Council. The resolution outlines a broad framework for the protection of children exposed to armed conflict, including the incorporation of child protection in United Nations peace operations.

8. Security Council resolution 1314 (2000) provides a more specific plan of action for child protection, calling, among other measures, for an end to impunity for those who abuse children, including through their exclusion from amnesty provisions; for measures against illicit trade in natural resources, which fuel war machines and contribute to the massive victimization of children; for intensified efforts to obtain the release of abducted children; for the strengthening of the capacities of national institutions and civil society for the protection of children; and, for greater participation by young persons themselves in peace programmes. Resolution 1314 (2000) also calls for the inclusion of child protection advisers in United Nations peacekeeping operations.

9. Security Council resolution 1379 (2001) represents an important step in the progression towards the "era of application" by establishing the practice of monitoring and reporting compliance and the submission of a formal list of parties that recruit or use children in situations of armed conflict as a central feature of the Secretary-General's annual report to the Security Council on children affected by armed conflict. This resolution also expresses the Security Council's readiness to include provisions for the protection of children when considering the mandates of peacekeeping operations.

10. In resolution 1460 (2003), the Security Council endorses the call for the "era of application". This resolution broadens the scope for monitoring and reporting by calling on parties identified in the Secretary-General's list to provide information on steps they have taken to halt the recruitment and use of children, and expresses the intention of the Security Council to consider taking appropriate steps where insufficient progress has been made. In resolution 1460 (2003), the Security Council also calls on parties involved in armed conflict to abide by the concrete commitments they have made to the Special Representative of the Secretary-General for Children and Armed Conflict and requests the inclusion of information on children affected by armed conflict in all country-specific reports to the Security Council.

11. The most recent resolution, 1539 (2004), breaks important new ground. It contains far-reaching provisions, particularly in the context of making the "era of application" a reality on the ground. The resolution enunciates the following key elements:

- The Secretary-General has been asked to provide information on progress and compliance by parties named in the two annexes to his report on children affected by armed conflict, taking into account information concerning other violations and abuses being committed against children;
- Parties listed, which are from situations on the Security Council's agenda, are required to prepare, in collaboration with United Nations field teams, concrete time-bound action plans to end the recruitment and use of children;
- The Secretary-General has been asked to devise urgently a systematic and comprehensive monitoring and reporting mechanism, taking into account the proposals made in his report of 2003;
- The Security Council has formally assigned the primary responsibility to ensure effective follow-up to resolutions and commitments on children affected by armed conflict to United Nations peacekeeping missions and United Nations country teams. This fills an important gap in the "era of application" regime for children affected by armed conflict. In this context, United Nations field teams are now formally assigned responsibility for coordinating and following up on resolutions and commitments; entering into dialogue with parties to conflict, leading to concrete action plans; regularly reviewing compliance by the parties; and reporting to the Secretary-General through his Special Representative;
- The Secretary-General has been requested to ensure that the need for child protection advisers, and their number and role, are systematically assessed during the preparation of each United Nations peacekeeping operation;
- The Security Council has reaffirmed its stipulation that all reports on country situations should include the protection of children as a specific aspect of the report;
- The Security Council has called on regional organizations to take concrete steps, including mainstreaming the issue of children affected by armed conflict in their programmes and structures, and to develop peer review and monitoring and reporting mechanisms;

- The Security Council has called for the development and strengthening of the capacities of national institutions and civil society networks, which are critical for ensuring local ownership and sustainability of initiatives for children affected by armed conflict.

12. Implementation and follow-up actions on Security Council resolution 1539 (2004) and the other Council resolutions on children and armed conflict, will require strong commitment, collaboration and participation on the part of all stakeholders, especially Member States, United Nations entities,[1] regional organizations and NGOs.

13. It bears stressing that the role now envisaged for United Nations field missions in the follow-up and coordination of resolutions and concerns relating to children affected by armed conflict represents a crucial and much-needed building block in realizing the "era of application". It will serve to formalize current practice (which has hitherto been informal) and ensure United Nations system-wide mainstreaming at the field level, streamline the flow of information to Headquarters, and underscore the issue of children affected by armed conflict as a United Nations system-wide priority.

14. Furthermore, the systematic inclusion, in the context of United Nations peacekeeping missions, of specific provisions concerning children affected by armed conflict in peacekeeping mandates, training and reports, and the deployment of child protection officers constitute important practical aspects of the "era of application" regime. The challenge now is to put in place a systematic process, at both field and headquarters levels, to ensure implementation and compliance in these areas.

3. Integration of the issue of children affected by armed conflict in reports to and resolutions of the Security Council

15. In response to the Security Council's stipulation in its resolution 1460 (2003) that a specific section on child protection be included in all country-specific reports to the Council, the Office of the Special Representative, the Department of Peacekeeping Operations and the Department of Political Affairs issued a joint memorandum in July 2003 to all United Nations peace operations requesting implementation of this provision. In the period since the adoption of resolution 1460 (2003) and the issuance of the memorandum, there has been a significant increase in the number of reports to the Security Council that have incorporated substantive references to the protection of children. Out of the 69 country-specific reports issued from 10 July 2003 to 30 June 2004, 29 reports included issues relating to children affected by armed conflict in the cases of Afghanistan, Sierra Leone, Ethiopia-Eritrea, Liberia, Burundi, the Democratic Republic of the Congo, Côte d'Ivoire, Somalia, Timor-Leste and Haiti. In terms of the inclusion of a separate section on child protection, the best compliance was in the country situations where child protection officers are deployed as part of peacekeeping operations. Child protection also featured prominently in thematic reports on small arms and light weapons, the protection of civilians, women, peace and security, the prevention of armed conflict, and subregional efforts in West Africa.

[1] United Nations "entities" is used as a collective term to denote all United Nations agencies, funds, programmes, departments and offices.

16. The growing engagement of the Security Council on children affected by armed conflict has resulted in an increase in the inclusion of child protection provisions in Council resolutions. Since July 2003, 11 out of 60 resolutions have included such references in the cases of the Democratic Republic of the Congo, Sierra Leone, Liberia, Côte d'Ivoire, Haiti, Burundi, the Sudan, and a resolution on the protection of United Nations personnel.

17. In the cases of Liberia and Côte d'Ivoire, child protection provisions were included in resolutions mandating the peacekeeping operations.

Table 1

Inclusion of issues relating to children affected by armed conflict in reports of the Secretary-General to the Security Council and in resolutions of the Security Council (1999-2004)

(figures and percentages determined against the total number of the Security Council reports and resolutions where these issues are relevant)

	Reports of the Secretary-General to the Security Council referring to children affected by armed conflict	*Security Council resolutions referring to children affected by armed conflict*
2004 (to 30 June)	13 out of 35 (37%)	4 out of 29 (14%)
	(concerning Côte d'Ivoire, Liberia, Timor-Leste, Haiti, the Democratic Republic of the Congo, Afghanistan, Sierra Leone, Burundi, Somalia, the protection of civilians, children affected by armed conflict and subregional efforts in West Africa)	(concerning Côte d'Ivoire, Haiti, the Sudan and Burundi)
2003	26 out of 72 (36%)	13 out of 66 (20%)
	(concerning Afghanistan, Sierra Leone, Ethiopia-Eritrea, Liberia, West Africa, Burundi, the Democratic Republic of the Congo, Côte d'Ivoire, Somalia, Angola, children affected by armed conflict and small arms and light weapons	(concerning the Democratic Republic of the Congo, Sierra Leone, Liberia, Côte d'Ivoire, the protection of United Nations personnel, small arms and light weapons and children affected by armed conflict)
2002	22 out of 67 (33%)	4 out of 67 (6%)
	(concerning Sierra Leone, Angola, Palestine, Somalia, the Democratic Republic of the Congo, Afghanistan, Guinea-Bissau, Bosnia and Herzegovina, Liberia, East Timor, children affected by armed conflict, small arms and light weapons, the protection of civilians, women, peace and security, and the prevention of armed conflict)	(concerning the Democratic Republic of the Congo, Sierra Leone, Afghanistan and Angola)

	Reports of the Secretary-General to the Security Council referring to children affected by armed conflict	*Security Council resolutions referring to children affected by armed conflict*
2001	23 out of 77 (29%)	7 out of 51 (14%)
	(concerning Sierra Leone, Ethiopia and Eritrea, Afghanistan, Bosnia and Herzegovina, Iraq, Liberia, the Democratic Republic of the Congo, Guinea-Bissau, Georgia, Angola, children affected by armed conflict, the protection of civilians and the prevention of armed conflict)	(concerning Sierra Leone, the Democratic Republic of the Congo, the prevention of armed conflict and children affected by armed conflict)
2000	16 out of 76 (21%)	6 out of 49 (12%)
	(concerning Sierra Leone, the Democratic Republic of the Congo, Angola, children affected by armed conflict, small arms and light weapons, Brahimi Report implementation, and the role of peacekeeping operations in disarmament, demobilization and reintegration)	(concerning the Democratic Republic of the Congo; Sierra Leone; the protection of civilians; HIV/AIDS and international peacekeeping operations; women, peace and security)
1999	10 out of 80 (12.5%)	7 out of 64 (11%)
	(concerning Sierra Leone, the Democratic Republic of the Congo, Africa, the protection of civilians, Afghanistan, and Bosnia and Herzegovina)	(concerning Sierra Leone, East Timor, the Democratic Republic of the Congo, the protection of civilians and children affected by armed conflict

18. This rise in the incorporation of issues relating to children affected by armed conflict in reports to and resolutions of the Security Council represents important progress. However, the inclusion of these issues must become more systematic and evenly spread, and must ultimately translate into concrete actions on behalf of children.

Recommendations:

The Security Council should review concerns relating to children affected by armed conflict whenever a specific country situation is under consideration and ensure that relevant elements of these concerns are incorporated in ensuing resolutions.

Heads of peace missions and the Department of Peacekeeping Operations should institute specific procedures to ensure the implementation of the Security Council's stipulation in its resolutions 1460 (2003) and 1539 (2004), that the protection of children in armed conflict be included as a specific aspect in all country-specific reports.

Concerns relating to children affected by armed conflict should be included in the mandates of all peacekeeping operations in situations where children have been seriously affected by armed conflict.

Whenever the Security Council conducts fact-finding field missions, it should always include a checklist of specific concerns relating to children affected by armed conflict in their briefs and discussions.

The annual debate of the Security Council on children affected by armed conflict should be devoted to a systematic review of the state of compliance of parties on the ground with their obligations to protect children. Where violations against children continue, the Security Council should consider taking appropriate action.

B. Integration of issues relating to children affected by armed conflict into United Nations peacekeeping operations

1. At the mission planning phase

19. The Office of the Special Representative of the Secretary-General for Children and Armed Conflict, working in cooperation with the United Nations Children's Fund (UNICEF) and other United Nations entities, has advocated for the systematic inclusion of concerns relating to children affected by armed conflict in the context of the integrated mission task forces or inter-agency task forces, which have been convened since the Brahimi report to plan and prepare United Nations peacekeeping missions. As a result of this engagement, these concerns have been reflected in the work of the United Nations in country-specific situations, including in Afghanistan, Angola, Colombia, Côte d'Ivoire, Liberia, the Sudan, Burundi and Haiti. The Office of the Special Representative, UNICEF, the United Nations Fund for Women (UNIFEM) and the Office for the Coordination of Humanitarian Affairs have collaborated in the development of a checklist of child protection priorities which was used recently in the inter-agency task force and assessment missions for Liberia, Côte d'Ivoire, Burundi, the Sudan and Haiti. The checklist has been adapted to reflect the child protection concerns in each specific context, and supports the calls of the Security Council for the inclusion of child protection advisers in United Nations peacekeeping operations, where appropriate. In each situation, the guidelines outline the main tasks for child protection in the areas of: disarmament, demobilization and rehabilitation; measures against sexual violence and exploitation; monitoring and reporting of child rights violations; and the accountability of the parties to the armed conflict to fulfil their obligations pertaining to children.

20. Concerted advocacy in the context of integrated mission/inter-agency task forces has resulted in the integration of the agenda for children affected by armed conflict into several country-specific peace operations:

- Integrated Mission Task Force on Afghanistan. The Office of the Special Representative's "Agenda for children in Afghanistan", finalized following the visit of the Special Representative to Afghanistan in July 2002, was endorsed by the Integrated Mission Task Force. In collaboration with the United Nations country team and the United Nations Assistance Mission in Afghanistan, the Office of the Special Representative was able to ensure that concerns relating to children affected by armed conflict were included in one-year and five-year United Nations programmes of assistance to Afghanistan.

- Task Force on Angola. The Secretary-General's report to the Security Council on Angola (S/2002/834), which proposed the establishment of the United Nations Mission in Angola (UNMA), emphasized the importance of the protection and rehabilitation of children. This report followed a field visit to Angola by the Special Representative. A child protection officer was deployed in UNMA from October 2002 to the close of the Mission.

- Working Group on Côte d'Ivoire. The Office of the Special Representative, UNICEF, UNIFEM and the Office for the Coordination of Humanitarian Affairs jointly proposed elements for inclusion in the Security Council resolution on the mandate of the new mission to Côte d'Ivoire. Points incorporated include: assisting in the implementation of the national programme for the disarmament, demobilization and reintegration of combatants, with attention to the special needs of women and children in this process; implementation of a voluntary repatriation and resettlement programme for foreign ex-combatants, with special attention to the specific needs of women and children in this process; promotion and protection of human rights in Côte d'Ivoire, with special attention to violence committed against women and girls, and assisting in the investigation of human rights violations with a view to ending impunity, particularly for violations against women and children. Two posts for child protection advisers have been established in the United Nations Operation in Côte d'Ivoire (ONUCI).

- Task Force on Liberia. Substantive provisions on children affected by armed conflict were included in the Secretary-General's reports to the Security Council on Liberia and in the Security Council resolution 1509 (2004), including the incorporation of specific provisions concerning children in the disarmament, demobilization and reintegration action plan. A specific budget allocation was also made for the education, health and disarmament, demobilization and reintegration of children in the United Nations/World Bank joint needs assessment of the National Transitional Government of Liberia. Advocacy by the Special Representative had led to the inclusion of issues relating to children affected by armed conflict in the peace agreement on Liberia signed in Accra in August 2003. Two posts for child protection advisers were established in the United Nations Mission in Liberia (UNMIL).

- Task Force on the Sudan. Issues relating to children affected by armed conflict have been included in the terms of reference of the Department of Peacekeeping Operations mission to the Sudan, as well as provision for one child protection adviser in the advance team. Six posts for child protection advisers have been agreed on for the eventual staffing table of the mission.

- Task Force on Burundi. The Office of the Special Representative provided information on children affected by armed conflict to members of the Department of Peacekeeping Operations assessment mission to Burundi in preparation for the establishment of the United Nations Operation in Burundi (ONUB) in 2004. The assessment report includes recommendations for measures to prevent sexual abuse and exploitation, as well as for the protection of children against detrimental labour practices. Advocacy by the Special Representative had earlier led to the inclusion of children's issues in the 2000 Arusha Accords on Burundi. Three posts for child protection advisers have been established in ONUB.

- Task Force on Haiti. The Office of the Special Representative advocated the inclusion of issues relating to children affected by armed conflict in the terms of reference of the Department of Peacekeeping Operations assessment mission to Haiti, and children's concerns have been reflected in the Secretary-General's report to the Security Council on Haiti. A post for a child protection adviser has been established in the United Nations Stabilization Mission in Haiti (MINUSTAH).

21. The inclusion of issues relating to children affected by armed conflict at the planning phase of peacekeeping missions is an important mainstreaming measure as child protection becomes more firmly embedded in staff planning and mission policy from the outset.

Recommendation:

It is crucial that the integrated mission task force process should specifically ensure the inclusion of concerns relating to children affected by armed conflict in the planning phase of peacekeeping operations, including the allocation of posts for child protection advisers in peacekeeping assessment missions, where appropriate.

2. Deployment of child protection advisers

22. Recognizing the critical role of United Nations peacekeeping missions in protecting children in all phases of peacekeeping operations, the Security Council, in resolutions 1314 (2000), 1379 (2001), 1460 (2003) and 1539 (2004), endorsed the Special Representative's proposal for the deployment of child protection advisers to support the peacekeeping leadership in mainstreaming child protection in all aspects of peacekeeping operations. The child protection adviser initiative also represents a practical aspect of the engagement of the Security Council with regard to children affected by armed conflict, and an example of effective collaboration among relevant entities within the United Nations system to mainstream child protection in the context of peacekeeping and, ultimately, to improve the situation of children on the ground. The Office of the Special Representative, the Department of Peacekeeping Operations and UNICEF are working together to facilitate the implementation of the Security Council's call for the inclusion of child protection advisers in peacekeeping operations, including in the joint review and recruitment of candidates and the maintenance of a roster of qualified personnel for deployment as child protection advisers.

23. In the situations to which child protection advisers have been deployed so far, they have played an important role in ensuring the integration of child protection concerns into the policies and activities of the peacekeeping mission. Broadly, the role of the child protection adviser is to help ensure that the protection of children is a priority concern throughout the various phases of peacekeeping and peace consolidation. Within a peacekeeping operation, the child protection adviser advises the mission leadership, typically the Special Representative of the Secretary-General for Children and Armed Conflict, on the incorporation of children's considerations into all relevant peacekeeping and peace-building activities and programmes, i.e. the mainstreaming of the protection of children throughout the work of the mission and across all the components — military, police and civilian — of the mission. A core aspect of this, which was explicitly requested by the Security Council in resolution

1314 (2000), is the provision of training in child protection and child rights to all United Nations peacekeeping personnel. Child protection advisers are also central to the implementation of the Secretary-General's zero-tolerance policy on sexual abuse and exploitation, including through participation in conduct review mechanisms at the mission level. The child protection adviser also acts as a point of contact and interlocutor between the mission and various in-situ actors working on children's issues, in particular the United Nations country team, the national Government, NGOs and the diplomatic/donor community. Overall guidance for the work of the child protection advisers is provided by the generic terms of reference for child protection advisers, developed jointly by the Office of the Special Representative, UNICEF and the Department of Peacekeeping Operations. Guided by these generic terms of reference, child protection advisers develop more specific workplans, which reflect the key children's issues in the specific country context.

24. It is important to stress the particular complementarity between child protection advisers and UNICEF. In all country situations, UNICEF provides the lead on children's issues, with child protection advisers working within the context of the advocacy and priorities established by UNICEF. Through the regular exchange of information and continuous consultations, a division of labour can be established which takes into account comparative advantages, capacities and expertise. To illustrate this point, in Sierra Leone child protection advisers have collaborated closely and effectively with UNICEF on child disarmament, demobilization and reintegration, on the participation and protection of children in the transitional justice mechanisms, on strengthening the legal protection framework for children and on capacity-building for relevant government ministries and for the national police force and army. In the Democratic Republic of the Congo, MONUC child protection advisers have worked closely with UNICEF on monitoring and reporting grave violations against children. At the same time, important functions internal to the peacekeeping operations, including the provision of systematic training to peacekeeping personnel, are also a core aspect of the work of the child protection advisers.

25. A total of 17 child protection advisers are currently deployed in peacekeeping operations in Sierra Leone, the Democratic Republic of the Congo, Liberia and Haiti. Imminent deployment of child protection advisers is expected to the operations in Burundi and Côte d'Ivoire, as well as to the assessment mission in the Sudan. The following table summarizes child protection adviser deployment as of September 2004.

Table 2
Deployment of child protection advisers in peacekeeping operations

Country	*Mission*	*Number of child protection advisers on staffing table*	*Number of child protection advisers in position*	*Status*
Democratic Republic of the Congo	MONUC	15	12	Recruitment ongoing
Sierra Leone	UNAMSIL	2	1	Recruitment ongoing
Liberia	UNMIL	2	2	Full deployment
Côte d'Ivoire	ONUCI	2	0	Recruitment ongoing
Burundi	ONUB	3	0	Recruitment ongoing
Haiti	MINUSTAH	1	1	Full deployment
Sudan	(Assessment mission)	1	0	Eventual deployment of 6 child protection advisers anticipated
Angola	UNMA	1	1	Mission closed (2003)
Total		**27 child protection adviser posts allocated**	**17 child protection advisers deployed**	

26. As indicated in table 2 above, child protection adviser posts have now been established in seven peacekeeping operations. However, this still leaves several peacekeeping operations where issues relating to children affected by armed conflict are pertinent and prominent for which no provision so far has been made for the deployment of child protection advisers.

Recommendations:

In order to ensure the mainstreaming of issues relating to children affected by armed conflict, effective monitoring and reporting and the provision of training, the number of child protection advisers, and their roles, should be systematically assessed during the preparation of each United Nations peacekeeping operation.

A child protection focal point should be assigned in the Department of Peacekeeping Operations at Headquarters in order to systematize the practice and process of deployment of child protection advisers and to provide more systematic guidance and support to child protection advisers on the ground.

In view of the extensive experience so far gathered on the ground, the Office of the Special Representative of the Secretary-General for Children and Armed Conflict, the Department of Peacekeeping Operations and UNICEF should undertake a comprehensive "lessons learned" and "best practices" exercise on the deployment and work of child protection advisers.

C. Integration of issues relating to children affected by armed conflict into relevant thematic activities

27. The Office of the Special Representative has proposed, developed and convened a number of working groups and task forces on issues relating to children affected by armed conflict. These have provided task-oriented frameworks for coordination and action on key issues pertaining to the agenda for children affected by armed conflict. The Office has contributed also to several thematic working groups convened by other United Nations entities. These represent an important means for mainstreaming concerns relating to children affected by armed conflict in the work of the Organization and are instructive examples of effective collaboration within the system on issues relating to children affected by armed conflict.

1. Working groups convened by the Office of the Special Representative

- Working group on child protection training for peacekeeping personnel. This working group (consisting of representatives of the Office of the Special Representative, UNICEF, the Department of Peacekeeping Operations and Save the Children, with significant input from the child protection advisers of UNAMSIL and MONUC) has completed a child rights and child protection training manual, which has been piloted by child protection advisers in their training for military and civilian peacekeeping personnel in the Democratic Republic of the Congo and Sierra Leone, and which was used for pre-deployment training of the mission start-up personnel of the United Nations Mission in Côte d'Ivoire (MINUCI) and UNMIL. The package was also used by the UNICEF Eastern and Southern Africa Regional Office and the South Africa-based NGO, African Centre for the Constructive Resolution of Disputes (ACCORD), for training of the South African Task Force before deployment to Burundi and to the Democratic Republic of the Congo.

- Working group on the incorporation of child protection in United Nations peacemaking, peacekeeping and peace-building processes. This working group (consisting of representatives of UNICEF, the Department of Peacekeeping Operations and the Department of Political Affairs) has drafted three sets of guidance materials, on peacemaking, peace-building and peacekeeping. The materials are ready to be launched for use by stakeholders.

- Steering committee on children and justice. This steering committee was formed to lobby participants in the Preparatory Commission for the International Criminal Court (ICC) on children's issues. As a result of this initiative, the Rules of Evidence and Procedure of ICC now include several important provisions designed to protect children. Of note, in this context, is the decision by the ICC Prosecutor to open an investigation into developments in northern Uganda and the eastern part of the Democratic Republic of the Congo, with a focus also on crimes committed against children.

- Informal working group on transitional justice in Sierra Leone. This informal working group (composed of representatives of the Office of the Special Representative, UNICEF, UNAMSIL, the Office of Legal Affairs, the Office of the United Nations High Commissioner for Human Rights (OHCHR) and NGOs) produced guidelines concerning the participation and protection of children in the Truth and Reconciliation Commission and the Special Court for

Sierra Leone. Of note is the fact that the Truth and Reconciliation Commission focused particular attention on the crimes perpetrated against children, and the Prosecutor of the Special Court has included the crime of recruitment of children in each and every indictment so far. These developments establish important precedents and represent crucial building blocks towards an "era of application" by addressing the impunity of parties to conflict for abuses perpetrated against children.

- Working group on the selection and deployment of child protection advisers in peace missions. The Office of the Special Representative, the Department of Peacekeeping Operations and UNICEF jointly developed generic terms of reference for child protection advisers and collaborate in the maintenance of a roster of possible child protection adviser candidates for deployment to peacekeeping operations. The Office of the Special Representative and UNICEF provide "technical evaluations" to the Department of Peacekeeping Operations concerning short-listed candidates and liaise closely with staff of the Department throughout the recruitment process.

- Informal advisory group on children affected by armed conflict (1998-2001). The Special Representative convened this informal inter-agency group to develop and coordinate action on issues relating to children affected by armed conflict. On the proposal of the Special Representative, the group constituted several task forces, on: post-conflict response; neighbourhood initiatives; building local capacity for advocacy; the impact of sanctions on children; incorporating standards in United Nations peace operations; follow-up of Security Council engagement; and initiatives for children affected by armed conflict in the European Union/African, Caribbean and Pacific country negotiations process leading to the Cotonou Accord.

2. Task Force on Children and Armed Conflict

28. The Task Force on Children and Armed Conflict has been convened by the Special Representative since 2001 and brings together relevant United Nations entities to work on issues relating to children affected by armed conflict, particularly monitoring and reporting, and the preparation of the annual reports of the Secretary-General to the Security Council on this subject. The Task Force consists of UNICEF, the Department of Peacekeeping Operations, the Department of Political Affairs, the Office of Legal Affairs, OHCHR, the Office for the Coordination of Humanitarian Affairs, UNIFEM, the Department of Disarmament Affairs, the Office of the Special Adviser on Africa, the Office of the Special Adviser on Gender Issues and the Advancement of Women, UNHCR, UNDP and the International Labour Organization (ILO). Initially, the Task Force also included key child protection NGOs. However, beginning in 2004, the Office of the Special Representative now consults with and seeks inputs of NGOs separately, convening, as appropriate, joint consultations of the Task Force and NGOs.

29. Since the request of the Security Council in 2001 contained in resolution 1379 (2001) for inclusion of "lists" of parties that recruit or use children in armed conflict in the Secretary-General's annual reports to the Security Council on children affected by armed conflict, the Task Force on Children and Armed Conflict has been the coordinating framework for the vetting and preparation of these "lists". Similarly, the Task Force has been working on the issue of establishing a monitoring

and reporting mechanism, in response to Security Council resolutions 1460 (2003) and 1539 (2004). As an informal inter-agency body, the Task Force has also been a useful forum for dialogue on mainstreaming issues relating to children affected by armed conflict.

3. Working groups convened by United Nations system entities

- Executive Committee on Humanitarian Action Implementation Group on the Protection of Civilians. The Office of the Special Representative contributed to the "roadmap" on the protection of civilians, and to the accompanying aide memoire and glossary on the protection of civilians. This advocacy ensured the inclusion in the "roadmap" of specific provisions for children affected by armed conflict under a separate heading and references to child protection and child rights in the sections on disarmament, demobilization and reintegration and on the training of security and peacekeeping personnel. Issues relating to children affected by armed conflict were also reflected in the Secretary-General's report to the Security Council on the protection of civilians in armed conflict (S/2004/431) and the Emergency Relief Coordinator's statements to the Security Council in the December 2003 and June 2004 open meetings on the protection of civilians in armed conflict.

- United Nations Development Group Executive Committee on Humanitarian Affairs Working Group on Transition Issues. The Office of the Special Representative proposed the inclusion of the Great Lakes region and Sierra Leone in transition case studies and MONUC and UNAMSIL child protection advisers provided input. Issues relating to children affected by armed conflict were included in the framework for transition programme response, particularly the issues of: the longer-term perspective and sustained resource requirements for the disarmament, demobilization and reintegration of child soldiers, including girls associated with fighting forces; cross-border proliferation of small arms; and the interruption of cycles of recruitment and violence through focus on the provision of opportunities for young people. Concerns relating to children affected by armed conflict were integrated into the final report submitted to the United Nations Development Group, the Executive Committee on Humanitarian Action and the Executive Committee on Peace and Security in January 2004.

- Executive Committee on Humanitarian Action Working Group/Inter-Agency Standing Committee Task Force on Protection from Sexual Exploitation and Abuse. Concerns relating to children affected by armed conflict were included in the six core principles outlined by the Task Force for inclusion in all Inter-Agency Standing Committee codes of conduct, including a principle prohibiting sexual activity with persons under the age of 18, regardless of the age of majority or age of consent locally. The Secretary-General has issued a Bulletin on "Special measures for protection from sexual exploitation and sexual abuse", and a code of conduct and complaint mechanisms for children and women have been established in UNAMSIL and MONUC.

- Executive Committee on Peace and Security Working Group on Justice and the Rule of Law. The Office of the Special Representative participated in inter-agency preparations to integrate issues relating to children affected by armed

conflict into the report of the Secretary-General on the rule of law and transitional justice in conflict and post-conflict societies.

- Resource group on the prevention of conflict. In this resource group, convened by the Department of Political Affairs, issues relating to children affected by armed conflict have been highlighted in the discussion of concrete measures to enhance United Nations capacity-building in conflict prevention, including in relation to the implementation of General Assembly resolution 337 of 3 July 2003.

- Coordination Action on Small Arms mechanism. Issues relating to children affected by armed conflict were included in statements made by the representatives of the Department for Disarmament Affairs and UNICEF at the first Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. The need for action-oriented research on linkages between small arms and children affected by armed conflict was stressed. There is ongoing advocacy for the Social Science Research Council to include children affected by armed conflict-small arms issues in the programmes of its research consortium.

D. United Nations executive coordination mechanisms

30. The Special Representative has participated regularly in the Senior Management Group, the Executive Committee on Peace and Security and the Executive Committee on Humanitarian Affairs, including through the preparation of papers and briefings on pertinent concerns relating to children affected by armed conflict. These executive coordination mechanisms have proved useful forums for advocating and pushing for the mainstreaming in the United Nations system of the issue of children affected by armed conflict.

E. Integration of issues relating to children affected by armed conflict into key United Nations-led institutional processes

31. Because they suffer disproportionately in situations of conflict, children deserve special consideration in programmes for rehabilitation and poverty alleviation, in social inclusion strategies and in humanitarian appeals and other funding frameworks.

32. Based on surveys of the current status of integration of the issue of children affected by armed conflict into three important United Nations-led institutional processes — the Consolidated Appeals Process (CAP), the poverty reduction strategy papers and the common country assessment-United Nations Development Assistance Framework (UNDAF) — the Office of the Special Representative has drafted three discussion papers containing recommendations on the best way to integrate issues relating to children affected by armed conflict into these three distinct frameworks. The Special Representative is advocating for inter-agency consultations, including with field-level representatives, which will yield consensus on actions to be undertaken for the systematic integration of issues relating to

children affected by armed conflict in this context. The processes are outlined below.

1. Consolidated Appeals Process for major and complex emergencies

33. CAP is a programming process through which national, regional and international relief systems mobilize and respond to selective major or complex emergencies and humanitarian crises that require a system-wide approach, based on an initial request for assistance from the Government of an affected country and a determination that the emergency is a major or complex one by the Inter-Agency Standing Committee, led by the Emergency Relief Coordinator, Office for the Coordination of Humanitarian Affairs. The major actors in the appeals process are the United Nations operational actors under the leadership of the Office for the Coordination of Humanitarian Affairs, the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies, the International Organization for Migration and bilateral donors and institutions at the regional and national levels. An examination of all the current CAPs (to March 2004) reveals that there is little difference in the treatment of children in CAPs for conflict and non-conflict countries. Neither are children designated specifically as a vulnerable social group. None of the CAPs for war-affected countries have any published data (quantitative or qualitative) about the nature, intensity, interlinkages and severity of the impact of armed conflict on children. In short, there appears to be a lack of explicit prioritization of children affected by armed conflict. This often translates into negative policy and programmatic consequences vis-à-vis children affected by armed conflict in the subsequent stages, from relief to recovery, including in the allocation of resources.

2. Common country assessment-United Nations Development Assistance Framework

34. This UNDP-led process encourages Governments to formulate, in accordance with their own development plans and priorities, an integrated national programme framework that sets out how they wish to cooperate with the organizations of the United Nations system. Such a framework enables the United Nations system to support more effectively the priorities of developing countries. The process utilizes three principal instruments: (i) the common country assessment, a country-based process for reviewing and analysing the national development situation and identifying key issues as a basis for advocacy, policy dialogue and preparation of the UNDAF; (ii) UNDAF, prepared as the strategic framework for the country-level activities of the entire United Nations system; and (iii) the country cooperation framework, through which UNDP programme activities are established in collaboration with the Government, within the UNDAF framework for a three-to-five-year cycle. Once the country cooperation framework is approved, resources are allocated and individual programmes and projects formulated. In countries emerging from armed conflict, the priorities identified have typically been infrastructure rehabilitation and development (including the building of schools); rehabilitation of production facilities and additions to productive capacities and employment; rule of law and governance; human rights and human development; basic social services (health, sanitation and education); and gender equality. Children's concerns are viewed as a cross-cutting issue, addressed particularly under the rubric of provision of basic social services. However, explicit focus and prioritization of the specific

needs of war-affected children is required throughout this process in order to ensure that many of the key concerns relating specifically to this vulnerable category do not "fall through the cracks".

3. Poverty reduction strategy papers

35. The poverty reduction strategy paper represents a response by the World Bank to a global trend of deterioration in terms of poverty and inequality. The poverty reduction strategy paper is essentially a poverty diagnosis designed to improve understanding of the nature, extent and determinants of poverty, and to identify priority public actions, including public expenditures and policy reforms required to tackle root causes. With technical assistance from a joint World Bank-International Monetary Fund (IMF) assessment team, Governments in low-income countries prepare their own poverty reduction strategy paper, which is endorsed by the Executive Boards of the World Bank and IMF. In the poverty reduction strategy paper, children's concerns are treated as a cross-cutting issue, typically under education and health. However, as in the common country assessment-UNDAF, the special needs of children affected by armed conflict are likely to fall through the cracks in this important process, if they are not explicitly addressed. The inclusion of children as a separate pillar in the poverty reduction strategy paper is crucial, because this process is designed as the main instrument through which major bilateral and multilateral donors will fund development in four-to-five-year cycles for a particular country.

Recommendation:

The United Nations entities that lead key institutional processes, particularly CAP, the poverty reduction strategy paper and the common country assessment-UNDAF, should ensure that concerns relating to children affected by armed conflict are systematically and explicitly integrated into these frameworks.

F. Internal mainstreaming within key United Nations institutions

36. The Special Representative has previously identified and underscored four key criteria by which the United Nations system can ensure and gauge internal mainstreaming within key relevant institutions:

- Commitment to and promotion of concerns relating to children affected by armed conflict by senior management
- Integration of concerns relating to children affected by armed conflict into policies, strategic plans and programmes
- Adequacy of in-house knowledge, expertise and training, to inform policies, strategies and day-to-day operations
- Adequacy of resource support to ensure the above.

37. Important United Nations entities, particularly UNICEF, UNHCR, OHCHR, the Office for the Coordination of Humanitarian Affairs and the Department of Peacekeeping Operations have undertaken many initiatives to integrate children affected by armed conflict into their policies and programmes. As a consequence,

significant gains have begun to take hold at policy and operational levels, within those institutions. However, these gains are still fragile and could weaken and dissipate unless they are consolidated and institutionalized. Particularly when evaluated against the four criteria set out above, it is evident that efforts for children affected by armed conflict among key United Nations entities remain ad hoc and uneven, and that concerns relating to children affected by armed conflict need to be integrated more explicitly and systematically into their respective domains.

38. Other key United Nations entities, such as the Department of Political Affairs, UNDP, ILO and the World Bank, deal with children's concerns more broadly as an important cross-cutting issue in their work and programmes. Through concerted focus on and prioritization of war-affected children, these entities are able to contribute significantly in their respective spheres to the advancement of the agenda for children affected by armed conflict. The Special Representative will advocate with UNDP and the World Bank in particular to mainstream that agenda in their programmes for post-conflict reconstruction and recovery, including in the context of disarmament, demobilization and reintegration programmes; with ILO to ensure concerted advocacy and pressure for compliance with its Convention No. 182, which designates child soldiering as one of the worst forms of child labour, and on the issue of developing programmes to provide alternative vocations for former child combatants; and with the Department of Political Affairs to ensure the prioritization of concerns relating to children affected by armed conflict in the context of political missions led by it and the inclusion of these concerns in peace processes.

39. In order to ensure the mainstreaming and systematic consideration and incorporation of concerns relating to children affected by armed conflict in policies and programmes, it is necessary for all relevant United Nations entities to designate focal points on children affected by armed conflict. To avoid "tokenism", the focal points should be at a senior level and will require strong support and commitment from management.

40. In order to determine better how and where to focus energy and resources, it will be useful periodically and systematically to assess the progress of all relevant United Nations entities in terms of the concrete measures that they have undertaken to ensure mainstreaming of issues relating to children affected by armed conflict within their institutions.

Recommendations:

All relevant United Nations entities and, where appropriate, their governing bodies, should take specific measures to ensure systematic mainstreaming of issues relating to children affected by armed conflict within their respective institutions.

All relevant United Nations entities should designate focal points at a senior level and ensure the allocation of adequate financial and human resources within all relevant offices and departments, and on the ground.

Periodic assessment against the mainstreaming criteria which have been outlined should be undertaken to judge the progress of relevant United Nations entities in mainstreaming issues relating to children affected by armed conflict in their institutions and domains.

G. Country-level mainstreaming

41. At the country level many critical concerns relating to children affected by armed conflict are taken up by a range of actors in their respective spheres. Operational United Nations entities, such as the Office for the Coordination of Humanitarian Affairs, UNICEF, UNHCR, the World Food Programme (WFP) and peacekeeping missions, work collaboratively on child protection issues, often also hand in hand with international and national NGOs and national government institutions. For example, in Sierra Leone, UNAMSIL and UNICEF worked closely together for children in the context of disarmament, demobilization and reintegration; UNAMSIL, UNICEF and UNHCR have collaborated extensively on training programmes on child protection and child rights for humanitarian workers and the national army and police force; UNAMSIL and UNICEF have worked closely with the Government on critical issues of juvenile justice system reform; and UNAMSIL, UNICEF and WFP have collaborated with key NGOs on advocacy and programmes to promote the education of girls, including for the significant number who were formerly associated with fighting forces. In the Democratic Republic of the Congo, MONUC and UNICEF have worked closely together, particularly on monitoring and reporting violations against children and in strengthening the legal protection framework for children, including through joint and concerted advocacy for legislative reform.

42. Child protection networks, which bring together all stakeholders concerned with child protection in a common forum for dialogue and collaboration, now exist in several war-affected countries. Child protection networks are typically composed of United Nations entities, relevant government institutions, international NGOs, and local NGOs and civil society organizations, which undertake a range of advocacy and programmatic activities for children. Such networks can provide an important base of expertise and resources to advance critical elements of the agenda for children affected by armed conflict on the ground, including through the formation of a rigorous monitoring and reporting system on children affected by armed conflict, as requested by the Security Council in its resolution 1539 (2004). UNICEF in particular should undertake, whenever possible, to organize child protection networks in war-affected countries where they are not yet in place.

43. Looking ahead, the establishment of a monitoring and reporting mechanism will be an important aspect of mainstreaming issues relating to children affected by armed conflict at the country level, and will require strong commitment of the country-level leadership of all operational United Nations entities, as well as adequate allocation of resources and expertise within their institutions.

H. Division of labour on issues relating to children affected by armed conflict

44. In order to advance the agenda for children affected by armed conflict, it is important to have a clear understanding as to the division of labour among the various United Nations actors concerned with this agenda, and in particular between the Office of the Special Representative and operational actors, and between that Office and United Nations field teams.

45. Providing leadership on children affected by armed conflict is the raison d'être of the mandate and role of the Special Representative of the Secretary-General, working in collaboration with other United Nations and non-United Nations entities. The role of Special Representative is to propose, promote and push for the issues relating to mainstreaming of children affected by armed conflict in the United Nations system and beyond. The Special Representative articulates initiatives and facilitates their conception and development, while leaving the operationalization of the projects to appropriate operational partners. The Special Representative does not conduct operational activities on the ground. The responsibility for carrying out programmes on the ground rests with entities such as UNICEF, UNHCR and the Department of Peacekeeping Operations, and with operational NGOs, whose mandates, field presence, experience and capacities enable them to undertake this role.

46. The Special Representative of the Secretary-General serves as a resource for the operational actors, especially through his advocacy of concerns relating to children affected by armed conflict at the political, diplomatic and international levels. The objective of the Special Representative is to build up a coalition of support at the global, regional and national levels for carrying forward the agenda for children affected by armed conflict. The Special Representative relies on operational actors to provide necessary information on issues relating to children affected by armed conflict, organize programmes for field visits, monitor commitments made by parties to conflict and conduct follow-up activities within countries.

47. As the largest, most important international institution devoted to ensuring the protection and well-being of all children in all situations (extending far beyond the agenda for children affected by armed conflict), UNICEF is the privileged and pre-eminent partner of the Office of the Special Representative of the Secretary-General for Children and Armed Conflict. With its extensive infrastructure, resources and expertise, including on the ground worldwide, the leadership of UNICEF is especially crucial in ensuring follow-up and implementation at the country level.

48. The division of labour must also be viewed in the context of Security Council resolution 1539 (2004), which assigns to United Nations field missions the primary role of following up and coordinating responses on issues relating to children affected by armed conflict on the ground. This represents a crucial and much-needed building block for the realization of the "era of application", because coordination between the field and headquarters, which has hitherto been ad hoc and informal, becomes a formal practice ensuring United Nations system-wide mainstreaming at the field level while streamlining the flow of information to headquarters and underscoring issues relating to children affected by armed conflict as a system-wide priority.

III. Conclusion

49. Mainstreaming the issue of children affected by armed conflict in United Nations system-wide activities and within key United Nations entities is a critical element in the institution of the "era of application" for the protection of war-affected children, and in the safeguarding and improvement of their lives.

50. Progress has been made in mainstreaming the issue of children affected by armed conflict in the United Nations system, particularly in the peace and security sector. Several important initiatives at the policy and programme levels have been established and have begun to take root. Yet, the gains remain fragile and may dissipate if not consolidated and institutionalized. At the same time, conspicuous gaps exist in the United Nations system response, within and across United Nations entities and in important United Nations-led institutional processes. These gaps must be addressed.

51. For the issue of children affected by armed conflict to emerge as a consistent cross-cutting issue in policies and programmes there must be system-wide commitment to and action on this agenda. Mainstreaming the issue of children affected by armed conflict will ensure that children's concerns are automatically taken up and integrated in all situations where children are affected by war. Translation of these goals into reality and practice requires the commitment of the leaders of the key entities, together with the mobilization and allocation of the necessary financial and human resources as a matter of priority.